7. 12-96

G. R. S. IX-5]

Previous references.

1892-3

~~191~~

(Mel)

Later references.

File No. 454-92

Serial Nos. 1-14

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-14.

M. ~~Part~~ B for December 95.

SUBJECT.

Grant of a piece of land to one Sambiah in the Tumkur Town.

W D 88—GPB—50,000—24-7-16

Ordered

Plaint

Civil Suit No. 232 of 1892 on the file of the Munsiff's Court Tumkur -

Plaintiff -
Lambia Son of Yejamanara Malla Lellappa of Yobhalkere -

Defendants
1. Veerappa Son of Veerabhadre Kalbanna residing at Ullina Tiptur Taluk.
2. Kallesambadra Chennabasia residing at Tumkur.
3. Mudda Yogeria brother of the 2d. Defdt.
4. Loobba Son of Basappa Elder brother of the 2d & 3d Defts.

1. Veerapurusha Yerra Chennia had two Sons - viz. 1st Chennabasappa and 2d. Kapania - of them Kapania had no issues and had a wife named Marihoochamma - Chennabasappa had three Sons, viz. 1st Yerramanjuia, 2 Yerrachennia, 3. Yobbiruchia and a daughter the 1st defendants mother named Parvati Amma -

2. The Veerapurusha died previous to 40 years ago, this yourselves Kapania 30 years ago & his Eldest Son Chennabasappa 25 years ago - &

the Sons of the Chennabasappa the
Eldest Purushanja and the youngest
Subbi Kutchia died respectively about 22
20 years ago without leaving any
wives or issues behind them - Puru-
-chennia having been attacked by
Cholera on the 30th April 1876 died
in the afternoon of the same day.
Previous to his death, his wife, his
daughter and the parents of the 1st
defendant were dead. The 1st defendant
was under the protection of the said
Purushennia.

3. The said Purushennia has no pupates.
The 1st defendant ~~his~~ is his own younger
Sister's Son - Hence he is according to
Hindu Law the Warasdar to deceased
Purushennia.

4. The said Purushennia as ~~soon~~ as
he was attacked by cholera thought
that he would not Survive, Executed
the will hereunto produced on the
morning of the 30th April 1876, Signed
it and put the same attested by witnesses.
It is mentioned therein that on his
death all his property should go to
the 1st defendant. He died in the
same afternoon - The 1st defendant himself
performed the obsequies of the deceased.

5. At his death Marichuchamma wife of Kapinia uncle of Poruchemma was living ...

6. The house sites marked A & B in the accompanying plan which are situate to the East of the Chikkaballāpūr road at Jumlur and which are within the jurisdiction of the Court are the ancestral property of Poruchemma. There were tiled buildings on the portions marked A and B in Green in the map. In the portions marked A Poruchemma and his father were living. In the building which was on the spot marked B Kapinia and after his death his wife Marichuchamma were living. The third portion of A was a yard (vacant). They were not united in interest. Poruchemma and his father were engaged in trade, and Kapinia was herding as a Jangama. Excepting this property they had no other (ancestral) property.

7. On the death of Poruchemma the 1st, 2nd & 3rd portions of A now sued for having been according to Wara and the will, came to the possession and Enjoyment of the 1st defendant they were in his —

Enjoyment. On the 16th September 1879
the 1st defendant having mortgaged three
three portions to one Perumadiamvara
Basavannan of Tumkur for Rs. 12/- went
to Africa in the Zipitter Taluk. About
the 25 or 26th July 1880 Ramachandramma
handed over the site marked B to
the possession of 2nd and 3rd defendants and
the father of the 4th defendant. The portions
of A were in the possession and enjoyment of the mortgagee
and the site marked B were in the possession & Enjoyment
of the 2nd & 3rd defts. and the father of the 4th
defendant.

8. On the 21st March 1892 the 1st defendant
having got the three divisions of A released
from the mortgage sold them to the Plaintiff
on the 30th March 92 under a registered
Sale deed which is herewith submitted.

9. About 10 years ago when the property
was in the possession of the mortgagee the
tiled buildings which were in Nos 1 & 2
divisions having fallen down the sites
were vacant. In the Schedule presented
with the plaint No. 1 division of A is being
treated as the first and Nos 2 & 3 as the
second item they are two separate
boundaries.

Mortgage deed executed by Veerappa
Son of Tumkur Rachanna Re-
-siding at Halur of Kibbanna-
-halli Hobli of Chikkanaikanhalli
Taluk on the 6th September 1879
(Equivalent to 18th day of the bright-
-forthnight of Ashtha Aswija of
the year Prabhavi) in favor of
Purusiddiannavara Basavanna
of Tumkur -

Having this day mortgaged my
own Valara situate in the limits of Tumkur containing two tile-
-roofed Kottiles measuring East to
West — yds. & North to South — yds.
and a yard belonging thereto,
measuring East to West — yds and
North to South — yds, bounded on
the East by the backyard of Yejamman
Dodda Channa Basavanna's house,
on the West by the houses of Kalle-
-Kambada Channabasavanna,
Jubli Punchanna basavanna,
and Chillarada Narasanna, on
the North by a public (illegible)
lane and on the South by the house
of Yejamman Punchanna basavanna

and the back yard of Ranjiundappa, and received Government Rs. 12/= I have made over the possession of the house to you. I would take back this deed and the house by returning the amount to you in five years from this date. I bind myself to pay to you according to your bill any Expenses you might incur for the repair of the house, and that I would pay the house tax myself. The no. of this house is — and the tax is Rs. 1/= This is a deed of House Mortgage acknowledging receipt this day of Rs. 12/= on this account.

Sale deed for conveying the im-
-movable property executed by Veerappa
of Jumbur Son of Irumurkode Rachanna
of Veeraseva Sect residing at aforesd
of Kibbanahalli Hobli, Tipture Taluk
on the 30th March 1892 (Equivalent to
Wednesday the 2d day of the Bright fort-
-night of Chitra of the year Nandana
in favor of Yejamman Sambria Son
of Yejamman Kollukere Mallaselleppa
of Veeraseva Sect; and a merchant-
by profession residing at Jumbur.

Having this day conveyed to you
the two house Sites situated in the vil-
-lage Jumbur, which having been trans-
-ferred to me by my maternal uncle
Kapani from Chennia Was Enclosed
in my possession and Enjoyment and
which I had mortgaged to Sale Veera
-Siddappanavara Basavanna of
Jumbur and got released from him
and is now in my Enjoyment and
situated as follows viz - the first
bounded on the East by the wall of the
backyard of Yejamman Soobbamma
and Veerabasappa, on the West by
the Site belonging to Kallesha

Muddunwappa, the Sale I have sold
you and your own house, on the
North by the public (illegible) lane,
and on the South by the Sale belonging
to Yejaman Perumbemmabasavanna:-
and measuring East to West 7½ yds.
and North to South 15½ yds., the land
bounded on the East by the Sale I have
sold you, on the West by Kallukambada
Muddunwappa's house, on the North
by the Sale belonging to Kallukambada
Muddunwappa and on the South by
the wall of the backyard of Yejaman
Soobbanna and measuring East
to West 7½ yds. and North to South
4 yds. I have received from you in cash
the Sale amount viz. Rs. 150/-
in the presence of the persons who
have attested this deed as witnesses.
You, your sons, grandsons &c. may
Enjoy the same - I have also handed
over to you the deed connected with the
Sale I had on the 16th September 1879
mortgaged to Balappa Siddappanavara
Basavanna of Sunkur, returned to me
duly receipted and signed by his
brother Ramjindappa on payment
of the mortgage amount. I have
this day placed you in possession

of these two Titles. I shall also
get the deeds of these transferred
in your name. I have not, hypo-
thecated, mortgaged or sold this property
to any others in any way. I would
myself be responsible in case I
have done so. The Earth, water, Stone
being reasons due on the above property
belong to you and not concerned to
me. This Sale deed conveying the
immovable property was executed
by me with my own free will and
Consent.

Civil Suit No. 232 of 1892 on the file of the Munsiff Court.

Plaintiff Sambia vs Defendants 1. Veerappa & three others.

Written statement of the 2d, 3d, and 4th Defendants.

1. The relationship between the parties as described in paras 1 & 2 of the plaint is true. But Chennabasappa and Kapina were divided in interest upwards of 50 years ago. Subsequently Marihoochamma and Poruchennia were living together. It is false that the 1st defendant was under the protection of Poruchennia

2. We do not agree about the will referred to in para 4.

3. We have not been furnished with a copy of the plan: ~~furnished~~ furnished with the plaint. It should be considered that the said plan must have been prepared by Suit the wishes of the plaintiff

4. Poruchennia and Marihoochamma having on the 22d December 1872 conveyed under a Sale deed Exactly half the portion i.e. the Northern portion of the two buildings together in which Marihoochamma and Poruchennia

were living together with the northern yard belonging to the house which fell to Marikhoochamma's share, to one Perumchenna basavanna for Rs. 20/= he had it in his enjoyment for sometime. As this did not prove prosperous to him Marikhuchamma and from in accordance with his wish and having for her maintenance received Rs. 12/8 and Perumchenna basavanna Rs. 20/= from the 3d. defendant conveyed the same to him under a Sale deed Executed by Marikhuchamma on the 25th July 1880. The 3d. defendant took to his possession the Sale deed Executed in favor of Perumchenna basavanna. Since then the site having been abandoned is in the possession of the 2d, 3d and 4th. defendants.

5. Though the plaintiffs' house has a northern doorway from the beginning yet about 20 days ago he opened during the absence of the 2d, 3d & 4th defendants a new doorway in its Eastern wall. The 2d, 3d and 4th. defendants having come to know of this are objecting to the passage.

6. The plaintiff owing to the ill feeling he cherishes towards the 2d, 3d & 4th

defendants Suit for the 1st defendant who was at contestation, for the Sale deed of the Site Executed by him in his favor by setting the same divided into plots in accordance with his wish as described in the Schedule and setting Extra measurements Excluded thereof quite opposed to the present situation Entered thereof so as to be prejudicial to the Right of the 2d, 3d & 4th defendants and filed this Suit.

7. He has invented the other matter referred to in the plaint to Enable him to file this Suit.

8. ~~The plaintiff~~ Previous to the filing of the Suit the plaintiff did not issue any sort of notice to the 2d, 3d & 4th defendants.

9. The 2d, 3d & 4th defendants therefore pray for Judgment declaring that the Northern half of the two houses which belonged to Punchemma and Inam-Koochamma measuring East to West 13 yds, & South to North 5 yds and the yard in full on the North including the mud Wall measuring East to West 6½ yds & South to North 6 yds. belong to them and the

The plaintiff in action to recover
damages &c. &c. &c.
vs.
defendant

Civil Suit no. 232 of 1892 on the file of the Tumkur Munsiff Court.

Plaintiff vs. Defendants

Lambia

1. Veerappa
2. Kallukambada Chennabasia
3. Madiwappa
4. Soobbia ...

The petition submitted jointly by the plaintiff and the 2d, 3d and 4th defendants.

We have amicably settled our dispute as follows:-

That the plaintiff should give up the site marked $\frac{A}{1}$ which belongs to them to the 2d, 3d and 4th defendants +

that the 2d, 3d and 4th defendants should allow the plaintiff to enjoy the sites marked $\frac{A}{3}$ and C with the site marked $\frac{A}{2}$ belonging to them -

that the plaintiff should allow a lane of one yard wide to the South of $\frac{A}{2}$ and to the East of $\frac{A}{2}$ & $\frac{A}{3}$ from $\frac{A}{1}$ to the lane, on his sites $\frac{A}{2}$, $\frac{A}{3}$ & for the purpose of the 2d, 3d & 4th defendants -

that the plaintiff should allow a Baabalu (drain) on his lands $\frac{A}{2}$, $\frac{A}{3}$ as far as the lane on the North side for the passage of rain water from the plaintiff's house situated to the North of $\frac{A}{1}$ & also from the house

(the plaintiff) may build on $\frac{A}{2}$ & $\frac{A}{3}$.
that the plaintiff should cover up the drain now existing
in his house situated to the north of & and
through which water from the house of the
2nd, 3rd & 4th defendants pass and open a new
drain in the East either on $\frac{A}{1}$ given to the
plaintiff defendants or on B so that the
water passing through it may discharge itself
into the drain the plaintiff is to build
for the passage of drain water from the
eves of the houses above referred to.
and that each should bear his own
Court costs.

We beg that decree may be passed
accordingly.

We have also settled that the 2nd, 3rd and
4th defendants should remove the roofing
of the house marked C and take it away
within 15 days and beg that decree may
be passed accordingly

Dated 20th July 92.

from the 1st Defdt.

10. As the plaintiff bought for a higher price the division of A which the 2d, 3d and 4th defendants were offering to buy they became inimical toward him and with a view to trouble him wantonly raised about 8 days ago that is about the 15th or 16th of April 1892 a ~~Verandah~~ tiled Verandah beside the Northern Compound wall in the yard of No. 3 division in A under dispute having for its support the Northern wall - they also ~~have~~ stored stone and tiles in the Site Sued for and come with a collection of people to quarrel with the plaintiff whenever he posture to obstruct the work. They have removed the old door fixture in the Northern wall and substituted a new one and locked it up - the 2d, 3d and 4th defendants have, by obstructing the door the plaintiff had put up after the Site was sold to him, to secure from his house situated to the West of it - so as to prevent his Entrance thereto, deprived the plaintiff of the possession of the Site and obtained possession of it unlawfully.

11. The 2d, 3d, and 4th defendants have no "Title" to the Site Sued for.

12. The Cause of action has

at Trincomalee from the 15th or 16th of April 1892 or thereabouts—

The Plaintiff prays for judgment declaring (1) Establishing his title to the house & lot costing Rs. 150/= and relating to the divisions 1, 2 and 3 of A of the plan referred to in the Schedule presented with the plaint and also to have the same vacated and placed in possession of the Plaintiff.

(2) for costs of the suit.

(3) for other reliefs the Court may deem just.

Sir,

As regards the question of Gaelic in Irish medals, please see para 8 of the Office letter dated 13/8/84

The next question in order is the present case regarding the omission -tion -

Q

9-5-87

X

X The order may
the work may be executed.
if a necessity arises hereafter
to site in Common work
will have to be agreed under
the L. A. Byelaws. This must
be said at all
13/6/96

(1) Stamp suffer
(2) Copy order pro-
duced
(3) Appeal in time
(4) Rule I Cl-2-
Un Rod Rules
Call for Rep with
Un usual report
BO

(General Serial No. 32.)

1893

(17)

No. 1893

Name of Petitioner. Sankhayya

Village Tumkur

Taluk.

District.

Date of Arzi. 25/1/93

Date of Receipt. Do.

Date of Disposal.

No. of Enclosures. 5

ABSTRACT.

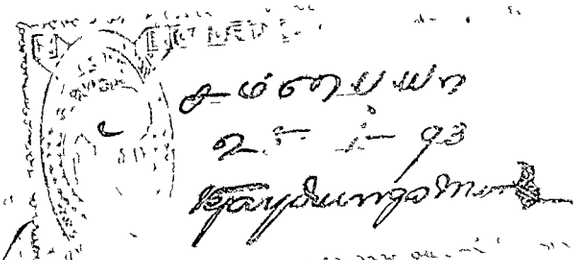
Petitioner wanted to extend the premises of his house by erecting a wall at a short distance from the old one. On the false representation of his enemies that the space between the old wall and the intended one belonged to Municipality, the Dy Comm? passed an order on 4. 11. 9. to the effect that the new wall if erected as shown in the sketch would narrow the street to the inconvenience of the people, and would leave no room for widening the street in future, that the old wall should be the bounda of the premises as before, and

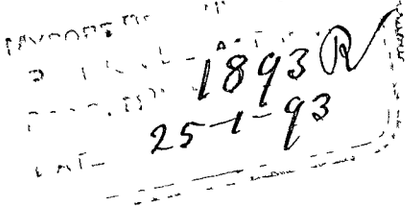
Mysore Govt. Central Press Bangalore—7-9-92,—1000

land Compens n would be
given to him if the land in
question be proved to be a
private property.

Petitioner prays that
the above order may be
cancelled.

SV. 6/2





A.S. no 93
92-93.

Sir K. Seshadri Esq KCSI
Dewan to His Highness the
Maharaja of Mysore.

Appeal on the order of the Deputy Commissioner of
Tumkur District of 4-1-93.

The humble petition of Gurubasappa of Tumkur.

Sheweth as follows:

That the petitioner purchased the house of Ahmad
Sheriff of Tiptur taluq as per papers enclosed
and has been in the possession of the premises all

That the petitioner's enemies Chowdappa Esq.
and others of Tumkur having represented to the Amildar
authorities that his land was to be assessed
did not belong to the petitioner, the Amildar
the municipal authorities the petitioner is to
be dispossessed on the ground that he is
insolvent. Thereupon the petitioner
and represents that the said Amildar
manner the street was to be
for widening the road
of the sketch above referred to, the widening
these representations are

road is not a high road; the wall when erected will in no way interfere with it in any direction. The Deputy Commissioner's decision therefore has been based upon incorrect information.

It will be seen from the mortgage bond (enclosed) that in September 1879 the Ranjundayya obtained the house on mortgage from its owner Veerappa and pulled down the existing wall & had one built a little apart so as to have more accommodation for his own house adjoining.

It will from all above and from the papers enclosed be seen that the Deputy Commr's order is wrong and that the petitioner therefore is entitled to have the same cancelled, and order issued permitting him to erect the wall for which his petition was filed by him.

The following papers are enclosed:-

(1) order of the Vice President of the Municipality
(2) Sketch
(3) Mortgage bond.
(4) Registered document [illegible]
(5) [illegible]

Bgl. 25th January 1895?

[illegible]

క్ర.సం.	వివరము	కొలత
	పెన్షనరీ ప్రాంతంలో, నక్కపల్లి మండలంలో, నక్కపల్లి గ్రామంలో ఉన్న పాత పోలీసు బారక్స్ దగ్గర ఉన్న 165 వ నంబరు గల ఇంటి స్థలం. విస్తీర్ణం: దక్షిణ దిక్కున 30 అడుగులు, పడమర దిక్కున 30 అడుగులు, ఉత్తర దిక్కున 30 అడుగులు, తూర్పు దిక్కున 30 అడుగులు. చుట్టుకొలత 120 అడుగులు. మొత్తం 900 చదరపు అడుగులు. ఈ స్థలం 17-10-92 వ తారీఖున 106 వ నంబరు దస్తావేజు ద్వారా అమ్మడమైనది.	1
	పెన్షనరీ ప్రాంతంలో, నక్కపల్లి, ఆంధ్రా బ్యాంకు ప్రక్కన ఖాళీ స్థలం. విస్తీర్ణం 17-11-92	1
	ఈ స్థలం కొనుటకు అడ్వాన్సు రూ. ———	

[illegible]
Vice President.

చ.గీ. ఈ ఆర్డరు అందిన వారంలోగా పన్నీరు సెల్వం చదరపు అడుగుకు 21-10-92 తేదీ నాటికి ఉన్న 124- పన్నీరు సెల్వం స్థలం 4-11-92 తేదీ నాటికి అందకపోతే ఆర్డరు రద్దు. 1.

తిరిగి పన్నీరు సెల్వం చదరపు అడుగుకు 18-10-92 నాటికి ఉన్న ధరకు అమ్మడమైనది. 1

తిరిగి చ.గీ. ఆర్డరు అందిన వారంలోగా పన్నీరు సెల్వం స్థలం ఆర్డరు ఇచ్చిన తేదీ నుండి 3-11-92 నాటికి అందకపోతే ఆర్డరు రద్దు. 1.

6.

MYSORE DEWAN'S OFFICE, 18.2.93

PETITION DEPARTMENT. (4)

OFFICIAL MEMORANDUM.

The accompanying Petition No. 1893/93
dated 25-1-93 received at the
Dewan's Office from Sambayya of Kasa
Sankur, appealing against the Ry
Court's order in re the erection of a
certain wall adjoining a ~~xxxx~~
road,

is forwarded, together with its five
enclosures, to the Deputy Commissioner
Sankur with a request for submission
of Proceedings with a report on
the facts of the case & on the
points taken in the petition.

2. The Petition should be
returned.

By Order,

Draft.

Chief Secretary.

BANGALORE, 15
February 1893 18

M G. C. P. Bangalore—21-11 92—3,000.

(General Serial No. 30.)

1892.

From The Deputy Commissr
Tumkur Dist

To

The Chief Secretary to the ~~Govt~~ Govt of Mysore.

Dated 28th March 1893.

Despatched 29th

Received

Enclosures No. 6 & Record

General No.

No. 794.

Chief Secys No: 10338/15 Ultimo

Reporting on the petition

of Sambiya & Tumkur.

Deputy Commissioners Office
Tumkur District

No: 794

Dated 28th March 1893.

To

The Chief Secretary to the
Government of Mysore.

Sir,

Referring to your Official Memorandum No: 1033 of the 15th Ultimo forwarding for report with proceedings the petition of Sambayya of Tumkur I have the honor to state as follows:—

2. The complaint of the petitioner is that he has been prevented from building a wall on his own land

3. In September 1892 one Chowli Ramjundiah and others residing in the town of Tumkur complained to the Vice President that the petitioner was trying to encroach upon a public lane by erecting a fresh wall on it and prayed that he might be directed not to do so.

4. Mr. Haji Syed Nasiroodin Saib the then Deputy Commissioner inspected the spot, compared it with the deed of sale conveying the

adjoining site to the petitioner dated the 30th March 1892, thought ——— that the ground in question belonged to the Municipality, that its encroachment would narrow the lane and ~~[illegible]~~ ordered the wall should not be extended, that it should remain as before and that if the petitioner proved by documents anterior to the one produced before him that the land in question belonged to him it should be acquired by the Municipality — It is upon this order that the petitioner has now appealed without proving his claim here. The record of the case is enclosed.

5. The enclosures of the Memorandum — under reply are herewith returned.

I have the honor to be

Sir,

Your Most obedient Servant.

W. K. Mackenzie

Deputy Commissioner

"

Read

(1) Petition ~~of appeal~~ No 1843 P. 93
dated 25th January last, from
Ambaiya of Tumkur, appealing
gainst the order of the Deputy-
ommr of Tumkur, regarding a piece of land claimed
by Petitioner, adjoining
~~directing~~
~~at a certain wall of the Petitioner's~~
ouse should not be extended, and
~~that stating that~~, if Petitioner
roved by additional documents
~~that the land belongs to~~ his right
the land to which he intended
extend the wall, the land
ould be acquired by ~~the~~
~~municipality~~

(2) Letter No 794 dated 28th
arch last, from the Deputy Commr
Tumkur reporting on the
bove petition

No 20613 / Pet: 1610 dy 9-6-93

Order thereon

~~The Dy Commr. states that the Petitioner failed to prove his claim~~
~~ore the Offg Dy Commr by producing documents prior in date to the~~
~~Petitioner's title deed.~~

~~The additional document~~
~~hich the Deputy Commr wished~~
~~etitioner to produce is now~~
~~iled with the appeal petition.~~

I concur in the papers
as it is not quite
clear that there is
the document
which the Deputy Commr wanted the Petr to
produce.

Petition
The appeal with its enclosures
ill be forwarded to the Deputy-
ommr ~~for further consideration~~
with a request that he will

Draft

(General Serial No. 30,)

189

From

The Chief Secretary
to the Dewan of Mysore.

To

Dated

Despatched

Received

Enclosures No.

General No.
No.

References to be marked.

Mysore Govt. C. Press, Bangalore.—9-1-93.—3,000.

Recommends that the matter
be the Right of the Petitioner
not proceed ~~and final disposal of the~~
~~matter~~ decision of the
matter on its merits.

Ref Mem
16293 576

Draft
(Council order). for Chief Secretary.

S.V.

To the Deputy Comm.r of
Tumkur, with the appeal
petition and records.

(General Serial No. 32.)

1893.

No. 396

Name of Petitioner. Lambhia cloth merchant

Village.

Taluk. Tumkur

District.

Date of Arri. 7-8-93

Date of Receipt. 8-8-93

Date of Disposal.

No. of Enclosures. two

Proceedings to be called for

Section

File No

Serial No

ABSTRACT.

With reference to Govt. Proceedings no: 20613 P. & 1610, dated 2nd June 189 the petitioner states that the present Deputy Commissio. investigated the matter & confirmed the order of the late Deputy Commissione in re his claim to the vacan site adjoining to his house at Tumkur & files an Appea in this office against this orde dtd 17-7-93, of the present Deputy Commiss.

10/8.

21-4-94

396R

A.S. No 9

93-94.

ಕಾಲಿಗೆ ಬಿದ್ದು ಕಣ್ಣೀರಿಟ್ಟು ಕೈಮುಗಿದು ಬೇಡಿಕೊಂಡರೂ ಕೇಳದೆ ಅವಳ ಮೇಲೆ ಅತ್ಯಾಚಾರ ಎಸಗಿದ್ದಾರೆ. ಅವಳ ಮೇಲೆ ಅತ್ಯಾಚಾರ ಎಸಗಿದ ಬಳಿಕ ಅವಳ ಕೈಗಳನ್ನು ಕಟ್ಟಿ ಹಾಕಿ ಅವಳ ಮೇಲೆ ಪೆಟ್ರೋಲ್ ಸುರಿದು ಬೆಂಕಿ ಹಚ್ಚಿ ಸುಟ್ಟು ಹಾಕ

ಸಂ.ಆಇ/ಪಶುಆ/ಪಶುಪ್ರಾ/೨೦೨೧-೨೨ ದಿನಾಂಕ: ೨೬-೮-೨೦೨೧

ಪತ್ರಿಕಾ ಪ್ರಕಟಣೆ

ಪಶುಸಂಗೋಪನಾ ಇಲಾಖೆಯ ಪಶುಪ್ರಾಣಿ ಆಸ್ಪತ್ರೆಗಳಲ್ಲಿ

Section Dist.
Petition No 396-97
Serial No 121

MYSORE DEWAN'S OFFICE, 14/8/93

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 396 A 97
dated 7-8-93 received at the
Dewan's Office from Surabia, cloth merchant, Tumkur, appealing against the Deputy Commr's order regarding his (Petitioner's) claim to a vacant site adjoining his house

is forwarded, together with its Two enclosures, to the Deputy Commr. Tumkur District, for submission of Proceedings with a report on the facts of the case and on the points taken in the petition.

2 The Petition should be returned with the Connexures

By Order,

Draft

Chief Secretary.

15
17 BANGALORE, August 1893.

M. G. C. P. Bangalore—21-11-92—3,000.

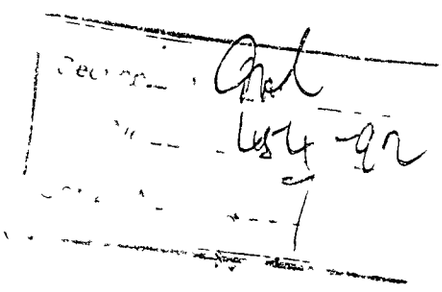
From the same No 219 94-5,

(General Serial No. 30.) 3214/1

1893:94:142

From The Dy: Commissioner
Tumkur District

Submitted for orders—
D
7/9/94



To The Chief Secretary to the
Govt: of Mysore—.

Dated 4th September 1893.

Despatched 5th

Received

Enclosures No. 3. & Record

General No.
No. 219 ✓

Chief Secretary's Offl: Memo
No: Retn. 267 of 15th Ultimo

Submits the record
connected with the claim
of Sambiah to a vacant
Sike at Tumkur—. Return
the Enclosures—.

D. Mauch
7/9/94

No: 219. Tumkúr District

Deputy Commissioner's Office
Tumkúr 4th September 1893.

To,

The Chief Secretary to the
Government of Mysore

Sir,

With reference to your Official Memorandum No: Petn: 267 of the 15th Ultimo calling for the submission of the Proceedings in connection with the claim of Sambiah to a vacant site adjoining his house at Tumkúr, I beg to submit herewith the record of the case. The facts have been fully set out in the final English order

2. The petition received with the above is herewith returned with its Enclosures.

I have the honor to be,
Sir,
Your most obedient Servant

[signature]
Deputy Commissioner
Tumkúr District

Memorandum

(12)

Read ~~Read~~ ~~it~~ government order no 20613 of the 2nd June 1893 directing the reinvestigation of the claim of Saubirah ~~for~~ the piece of land in front of the ruined house bought by him in the town of Tuinkhir

---

The said Saubirah has a house in Tuinkhir. He has bought the ruined house adjoining his house. He ~~claims~~ says that the bit of ground measuring about 64 ~~sq.~~ yards ~~in~~ in front of the said ruined house belongs to him. The people of the locality object to his including it on the ground that the so doing would make their lane narrower and cause them much inconvenience, adding that the bit in question does not belong to the said ruined house ~~but~~ but is a part of the lane. The matter having come before the Vice President of Tuinkhir that officer decided that all the lands referred to in the document executed in favour of the claimant at the

since he bought the said ruined house
should be made over to him. Upon
this the people of the locality appealed
to the then Dy: Commissioner Hajee
Syed Nasaradeen sahib. That officer
after local inspection opined that
if the bit in question were included
by the claimant it would make the
lane narrower. In regard to the claim
set up by the claimant, he opined
that the deed of conveyance could
not by itself be evidence of the claimant's
title to it, but that the claimant should first
produce documents proving the
vendor's title to all the lands referred
to in the deed of conveyance including
the bit in question. He further observed
that even if the claimant proved his claim to the bit
in question it would be necessary to acquire it
for public convenience. Upon this
the claimant appealed to government.
In its order read in the preamble supra
the Govt has directed the reinvestigation
of the matter in the light of the further
document produced by the claimant with
his appeal petition. The document so

produced by him is a deed of mortgage executed by the vendor of the said ruined house when previous to its sale of that land, he had mortgaged it to some one else. His object in producing this document is apparently to show that even in the older mortgage deed the same extent had been entered as in the recent deed of sale to the claimant. But unfortunately the old mortgage deed does not contain the measurement of the land. Thus the document now produced by the claimant does not throw any light on the matter. There is, therefore, no from to alter the order passed by Mr. Haji Syed Nasaradeen Sahib. I may perhaps add that from local inspection I am of opinion that the bit claimed by the claimant as being a part of the site of the ruined house recently bought by him is evidently a portion of the lane. If it had belonged to the vendor of the ruined house he would not

have

have left ~~[illegible]~~ and ~~[illegible]~~ built the house. He would have erected his wall not where it now exists but on his boundary. There is no evidence of the vendor having ever exercised his ownership on the bit referred to. Both the claimant and his opposite parties were heard in person today. The claimant said that he had no more evidence to produce than what is now on record, namely the said two documents. This decision has been explained to both parties today.

17th July 1893.
Tenkur

By Commr. of Tenkur

(15)

To

Guard

The Deputy Commissioner
Tumkur District

No. 16401 / Pet: 1630 27-30 3-94

His Letter no. 219 of 4th Septr 1893
submitting the Proceedings in
connection with the claim of Sambiah
to a vacant site at Tumkur

With reference to the above has
the honour to request the early
transmission of
(1) a sketch showing the lane in
question and its width, the site in
dispute and the pucca house referred
to in the Deputy Commissioner's order
(2) the records in original Suit
No. 239 of 1892 on the file of the Tumkur
Munsiffs Court, Sambiah vs Virappa
and 3 others.

By order
27/3/94
Under Secretary

Despe.

27/3

(General Serial No. 31.)

189

From

To

Dated

Despatched

Received

Enclosures No.

General No.

No.

(General Serial No. 30.)

1894.

From The Deputy Commr.
Trichinopoly Division

To

The Chief Secretary to the ~~Govt.~~ Govt.
of Mysore.

Dated 19th May 1894

~~Despatched~~ 21st —do—

Received

Enclosures No. 2

General No. 932
No. 9

Dis docket No 16401
Pet 163
dated the 29th March 94

I submit to the Sketch and the record in Connection with the Claim of Sanchiala as called for in the above

Pete
22.5.94

Rec'd
25/5/94

1/6/94

Submitted with reference the order dated 27th March 94

Dft
No. 1654-92
9.

Rec'd

Govt see no reason to interfere with the order issued by the Dr Commr.—
CS
28/6/94

Vide G.O. dated 26th July 1894 Revenue & Agriculture Issued 10/7/94.
28/7/94

Rec'd from Quilon under Rs 777-9-0

Refer to Rev. Commr
8/7/94

No: 932
Encls: 2

Tumkúr District
Deputy Commissioner's Office
Tumkúr 19th May 1894

To

The Chief Secretary to the
Government of Mysore

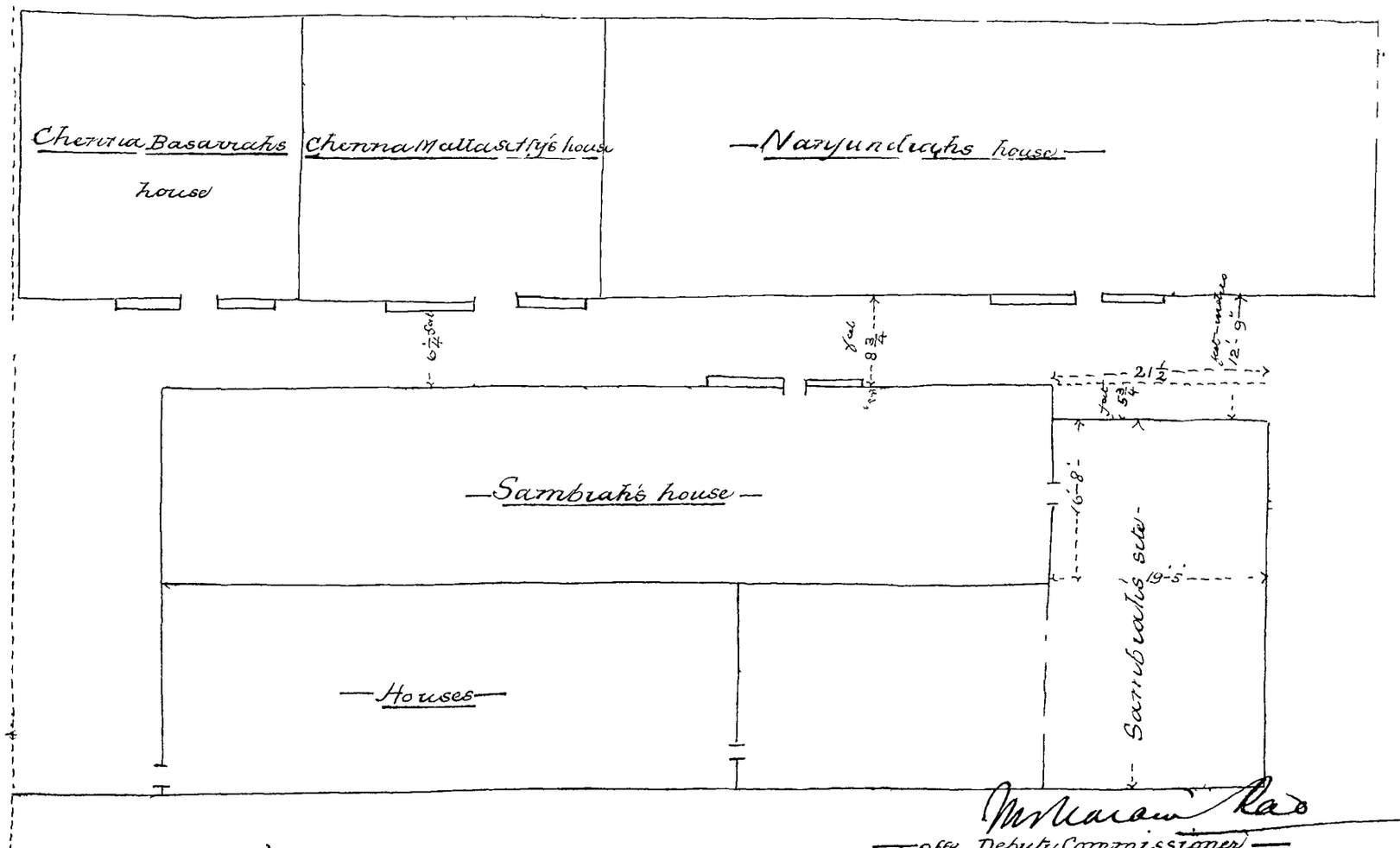
Sir

As required in your docket
No. 16401 / Rst 1630 dated the 27th March 1894, I have
the honor to submit herewith a sketch
plan shewing the ~~ground~~ lane in question
and its width and the site claimed by
the petitioner Sambiya as also the ruined
house adjoining it.

2. The record of Original case no.
239 of 1892 on the file of the Tumkúr Cr.
Munsiff in re the said Sambiya ~~vs~~
Veerappa and 3 others touching another
site in the vicinity is enclosed.

I have the honor to be
Sir
Your most obedient Servant
N. Venkatarangiah
Deputy Commissioner

— Sketch plan showing the lane and the lands claimed by Sambiah —



18th November 1895

M Narain Rao
Offg Deputy Commissioner
TUMKUR DISTRICT

Revenue Appeal No. 9 of 93-94.

Zambia of Zambia

Notice served

9 — 8 — 94.

No grounds for interference
with the Dep Comm's decision
which is Conf.
Tho' appt has no right
to the land claimed, yet
as there is some force
in his Complaint that he
has been of his land
he must make his home "Chiyunda"

Dep Comm may give him
as much land as will
be within the limits of his
present home provided so as to prevent Chiyunda

4/8/94

Section Land
File No 654-92
Serial No 10

Proceedings of the Govt of Mysore (1)

Read

(1) Petn no 396 dated 4.8.93 presented by Sundaram of Tumkur

(2) Order of the Govt of Tumkur dated 7th July 1893 stating that the Site adjoining a Tank house in the Fort of Tumkur purchased by Petitioner from the Vecaffa belongs to the Municipality and that Petitioner has no objection to it being made use of

(3) the proceedings in the case.

Order Herein.

The Govt observe that G.O. No 2923 dated 14-8-93 P. 2629 22

there are no grounds for interference with

the Dy Comrs' decision
which is ~~hereby confirmed~~ confirmed.

2. Though appellant
has no right to the
land claimed, yet
as there is some force
in his Complaint that
the exclusion of this
land would make his
house "dig Inule" (oblique)
the Dy Comrs may
give him as much
land as will be within
the line of his present
fence so as
to include house front, "dig Inule"
& present "dig Inule".

(By Order
Ch. Secy

OT
14/8/94

18/8

J. The Dy Comrs, Tumkur
returning the proceedings
received with his No 219
dated 4 Sep 93 and
stating with the records in Suit
232 of 1/2 on the file of his
Munsiff's Court received with his
No 932 dated 19 May 1894

(By order
Ch. Secy

18/8

21-8-94 No 39 / 08 9 — 14 August 1894 / 21 (7)

Endorsement Marked
A — Sanderson Thurston
in Reply to his Petn
No 396 dated 7.8.93
A.S.9
appealing against the
Deputy Commissioners
dated 14 July 1893 dis-
allowing his Claim to a
Vacant Lot adjoining
a Ruined house pur-
chased by him from
Veeraffa.

Petitioner to be informed
that the Commissioner
decision which is
Correct ~~has been~~
~~affirmed~~, but that
the Governor ~~has~~ is pleased as an
act of Grace to ~~direct~~
direct the Deputy Commissioner

as will be in the
line of his present
house front, so as
to prevent "Air Mule"
~~to be fitted & lum~~.

The enclosures are
returned

(By order,
[illegible]
Chief Secretary

AM
14/8

Section Out.
File No 654-92
Serial No 11.

3 9 6 memo 9-025

1895

No.	1019
Name of Petitioner,	Shambaiya
Village,	Kasba
Taluk,	Tumkur
District,	Tumkur
Date of Arzi,	3-9-95
Date of Receipt,	3-9-95
Date of Disposal,	
No. of Enclosure,	7

Putup Petition No 595 with file.
AH 11/9.

In time
Stamp Scffe

Petr appeal with reference to a site at Tumkur was disposed of in August 1894 by the Dewan & the 1st Councillor. In rejecting his claim, Govt said - "as there is some force in his complaint that the exclusion of this land would make his house "dig mule" (oblique) the Dy Comr may give him as much land as will be within the line of his present house front, so as to prevent "dig mule". The Offg Dy Comr has passed the following order :- Petr Sambia having urged that his house would become dig mule if the piece B was not included Govt said in their order that a small portion out of B may be given to prevent the dig mule. At my inspection it seemed to me that Sambia's allegation that his house would become dig mule if the piece B was not included, was not true. For, if he adds to his present dwelling house the land which he has bought to the east of it his house would be dig mule whether the piece is added to it or not. If he leaves his present house alone and builds a separate house on the land he has bought that would be quite rectangular & the dig mule

ABSTRACT.

Appealing against the order of the Deputy Commr Tumkur Distt, regarding the extension of his house upon Govt land.

States that he bought a site for a house adjoining his house with the intention of extending his house upon ~~that~~ it site which was prevented by the Municipal authorities; that upon his appeal to the Dewan he was given an order to the effect that some more land should be given to him to bring his house in a line, that upon his petitioning the Dy Comr

above order into force he was ordered to obtain the permission of the Vice-President before applying to the Dy Comr: that upon his petition to the Vice-President an order was given to him to the effect that in case it was inconvenient to build his house in a line the land asked for might be given; that upon this the Dy Comr ordered that the matter may be thought over: and finally the present Dy Comr ordered that no land should be given to him.

He now prays that the order which was previously passed thereby giving him a certain extent of land sufficient to bring his house in a line without making it curve cornered may now be confirmed.

S.B.R.

Male objection will not apply. There is no necessity to add B to it. If B be given to Sambia & is built upon the lane will become narrow & cause inconvenience to passers-by. Wanjum and Yakub Sah have submitted petitions protesting against the grant of the land to Sambia. It is decided that it is not necessary to give either the whole or a part of the site to Sambia.

Petr urges that a piece of land at the north-east corner is required to prevent dimuli and begs that effect may be given to the order of Govt ⊗

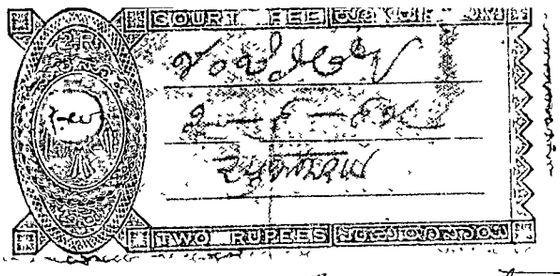
⊗ Submitted to the 1st Councillor

[illegible] 12/7

[illegible]

[illegible]

Draft



1019
Ref 4
3-9-95

1019 R
3-9-95

Two rupees stamp affd

(illegible)

(illegible)

(illegible)

Pet / 697 ✓ Dr Draft 14 Photograph 21-9-95

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

Section. Pet
File No 45 1
Paper No 1

OFFICIAL MEMORANDUM.

The accompanying Petition No. 1019 dated 3-9-95 received at the Dewan's Office from Sambia, cloth merchant, Tumkur, a/o/ against the Dy. Com'r's order declining to allow him the use of a certain site adjoining his house, for building purposes

is forwarded, together with its seven enclosures, to the Deputy Comm'r, Tumkur Dt., with the request that he will be so good as to report, whether the piece of land at the north-east cor of the petitioner's house, asked for by him, to prevent ~~a~~ air-mile cannot be given to him.

2. The petition, with its enclosures should be returned

By order,

Dfg
14-9-95

for Revenue Secretary.

BANGALORE,
15 September 1895.
21.

Gen. 31.]

3997

189 5. Pet 350

Section One

No. 454-12

12

From Deputy Commissioner Tumkur District

To Revenue Secretary to the Govt. of Mysore.

Dated 18 November 1895

Despatched

Received

General No.

No. 446

Enclosure No. One petition and a plan

With reference to this Office Memorandum No 697 of 15 September 1895.

Reports on the petition of Sambaiah Cloth Merchant of Tumkur

The Officer is requested to call for the orders already passed in this case and he is directed to make an application to amend the site as is in a sketch herewith & to have it signed by the petitioner & by a line of the K. The map should bear in the case as much as there is evidence in support of the application (A) & should bear on the other side the orders already passed in this case.

Drafted L.V. 13/12

12/12/95

Peon 21/12/95

Sub. to the 1st Correction with reference to Office Note & order on Petn No 1019 27/11

I will like to hear Petr AM

Posted 6/12 "Decr. - Issue 27/11 Petitioner has been informed of the date of his case his share on the abstract effd. 28/11

No: 446
one file
and a plan.

Tcemkúr D.
Deputy Commissioners office
Tcemkúr 18 November 1895.

To
The Revenue Secretary to the
Government of Allyson

Sir,

In reply to your official Memorandum No 697 (Pat) dated 15th September 1895, requesting a report as to whether the piece of land at the north-east Corner of Petitioner Saubiah's house at Tcemkúr, cannot be given to him to prevent "Aimulé", I have the honor to submit herewith a plan shewing the Petitioner's house, his site by the side of it, and the portion of Government land which he wants. Petitioner Saubiah proposes to build upon his site B and add it on to his present dwelling A. The piece of Government land which he wants is marked C His site B is an oblong and when built upon and added to his house A, would make the entire building A + B an irregular figure as shewn in the margin and render an "Aimulé" unavoidable The objection on the score of "Aimulé" would continue

even if the piece C were given to him If, on the other hand, the Petitioner built a house on B and kept it en separate from A, there would be no objection on account of "Annulé". In such case, there would be no necessity for his taking up the piece C. His allegation that his house would become "Annulé" if the piece C were not given him is untenable. I inspected the locality and came to the Conclusion that it was not en advisable to give away this piece C for building purposes, inasmuch as the lane D of which it forms a part, is already a very narrow one and the use of piece C for building purposes would diminish its breadth still further. I accordingly issued Endorsement No: 68 dated 14th August 1895 against which he now Complains. It may be mentioned here that the neighbours of Sambiah are opposed to the grant of piece C

to him for building purposes.

2. The enclosures of your official Memorandum under reply are herewith returned.

I have the honor to be
Sir
Your most obedient Servant

M Narain Rao

Offg. Deputy Commissioner
Tumkur District

EK

Section
No 4574 - 96
Vol No 14

Proceedings of the Govt of Guyana.

Read again —

Government-Proceedings No 2923/P.262 dated 14th August 1894 rejecting the claim of ~~Petitioner~~ Appellant-Sambaiya of Zumkun to the vacant-land adjoining his house at Zumkun, and directing that, as there was some force in the ~~Petitioner's~~ his complaint that the of this land would make his house "Aimuk", the Deputy-Commr might give him as much land as would be within the line of his present-house front, so as to prevent "Aimuk".

Read:—

(1) Petition No 1019 dated 3rd September 1895 presented by Sambaiya, ~~Appellant~~ complaining that the Deputy-Commr declined to grant the l...

to Petitioner as directed by the Government.

(2) Letter No 446 dated 18th November 1895, from the Deputy Commissioner of Lumkau, stating that the ~~Petitioners~~ Appellants allegation that his house would become "dimade" if the land (marked ? in the sketch) were not given to him was untenable as the house would be 'dimade' even if the land be added on to it, and that after inspecting the locality he came to the conclusion that it was not advisable to give away ~~this piece~~ the piece of land in question for building purposes, in as much as the lane of which it formed a part was already very narrow. ~~As such it would become narrower if the piece be given for building purposes.~~

(submitted)

Order thereon. No. Ext. 37 / P. 1169 Enc: 2 Vernacular files

8/12/95

The Deputy Commissioner

is referred to the orders already passed in this case and he is directed to make over to Appellant so much of the site C as is in a straight-line with the wall E F of his house A, up to the extremity G in a line with H. K. This would leave for the lane as much space as there is between Appellants' house A and Ranjandaigi's house on the other side.

as shewn in the sketch above referred to.

Draft
C/43

C
17/12/95
Revenue Secretary

To

The Deputy-Commr
Dumka District, with the
records received with his
No 5-01 of 7.12.95, and the
Sketch, which will follow ...

+ sketch despatched
on the 24-12-95
Asstt R
supra

S.V.
13/12

VL 15/12/95

24/12/95

1019

[illegible]

[illegible]

[illegible] 1875 [illegible]

By order

Draft submitted for approval. 17-12-75

Revenue Secretary.

Sir

15/12/75